

★ Roll Call Number
09-1965

Agenda Item Number
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Date October 26, 2009

**CONTINUANCE OF HEARING FOR VACATION AND CONVEYANCE OF THE
NORTH / SOUTH ALLEY ADJOINING 101 SOUTHWEST 5TH STREET TO RUMELY
LOFTS LIMITED PARTNERSHIP FOR \$13,959**

WHEREAS, on September 14, 2009, by Roll Call No. 09-1637, the City Council adopted a recommendation from the City Plan and Zoning Commission that the North/South alley right-of-way adjoining 101 Southwest 5th Street, be vacated and sold; and

WHEREAS, on September 14, 2009, by Roll Call No. 09-1635, it was duly resolved by the City Council that the proposed vacation and conveyance of such right-of-way be set down for hearing on September 28, 2009, at 5:00 p.m., in the Council Chamber; and

WHEREAS, due notice of said proposal to vacate and convey public right-of-way was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, on September 28, 2009, by Roll Call No. 09-1791, Council opened the public hearing, received comments and continued the public hearing to October 26, 2009, at 5:00 p.m., in the Council chamber; and

WHEREAS, a continuance of the public hearing until the Council meeting on November 9, 2009, has been requested.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines that the public hearing for vacation and conveyance of the north/south alley adjoining 101 Southwest 5th Street to Rumely Lofts Limited Partnership be continued, and the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with § 362.3 of the Iowa Code.

MOVED by Hensley to continue the public hearing until November 9, 2009, at 5:00 p.m. in the Council Chambers.

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(Council Communication No. 09- 747)

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

7. M. [Signature]
 Mayor

Diane Rauh City Clerk